

**FILED**

NOV 21 2007

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY *974* DEPUTY

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

**ARREST ON OUT-OF-DISTRICT OFFENSE**

CASE NUMBER: **'07 MJ 27 27**

The person charged as GALLARDO, Margarito now appears before this United States District Court for an initial appearance as a result of the following charges having been filed in the United States District Court for the Eastern District of California on 09/21/07 with: Title 21 USC 846 in violation of:

**CONSPIRACY TO DISTRIBUTE AND TO POSSESS WITH INTENT TO  
DISTRIBUTE METHAMPHETAMINE.**

The charging documents and the warrant for the arrest of the defendant which was issued by the above United States District Court are attached hereto.

I hereby swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

DATED: 11/21/07

Robert Johnson *Robert Johnson*  
CI -Deputy United States Marshal

Reviewed and Approved

DATE: 11/21/07

*J. P. [Signature]*  
Assistant United States Attorney

RECEIVED  
UNITED STATES MARSHAL  
07 SEP 21 PM 12:59  
EASTERN DISTRICT  
USA, OF CALIFORNIA

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

1387664  
**SEALED**

v.

**WARRANT FOR ARREST**

**MARGARITO GALLARDO ,**

Case Number: **2:07-CR-00431-GEB**  
**\*SEALED\***

To: The United States Marshal  
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest **Margarito Gallardo ,**

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

☒ Indictment ☐ Information ☐ Violation Petition ☐ Other \_\_\_\_\_

charging him or her with (brief description of offense)

**Conspiracy to distribute and to possess with intent to distribute methamphetamine**

in violation of Title 21 United States Code, Section(s) 846

M. Plummer

Deputy Clerk

Name of Issuing Officer

Title of Issuing Officer

Signature of Issuing Officer

9/21/07

Sacramento

Date and Location

Bail fixed at - \$No bail

by Judge Gregory G. Hollows

**RETURN**

This warrant was received and executed with the arrest of the above-named defendant \_\_\_\_\_

Date Received

Name and Title of Arresting Officer

Date of Arrest

Signature of Arresting Officer

1 MCGREGOR W. SCOTT  
2 United States Attorney  
3 PHILLIP A. TALBERT  
4 Assistant U.S. Attorney  
5 501 I Street, Suite 10-100  
6 Sacramento, California 95814  
7 Telephone: (916) 554-2739

**FILED**  
**SEALED** SEP 20 2007  
CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY *[Signature]*  
DEPUTY CLERK

8 IN THE UNITED STATES DISTRICT COURT FOR THE  
9 EASTERN DISTRICT OF CALIFORNIA

10  
11 UNITED STATES OF AMERICA, ) CR No. 07 - CR - 0431 GEB  
12 )  
13 Plaintiff, ) VIOLATIONS: 21 U.S.C. §§ 846 and  
14 ) 841(a)(1) - Conspiracy to  
15 v. ) Distribute and to Possess with  
16 MARGARITO GALLARDO, ) Intent to Distribute  
17 ) Methamphetamine  
18 Defendant. )

I hereby certify that the annexed  
instrument is a true and correct copy of  
the original on file in my office.

ATTEST: VICTORIA C. MINOR

Clerk, U. S. District Court  
Eastern District of California

By *[Signature]*  
Deputy Clerk

Dated 7/21/07

17 I N D I C T M E N T

18 The Grand Jury charges: T H A T

19 MARGARITO GALLARDO,

20 defendant herein, beginning at a time unknown to the Grand Jury,  
21 but no later than in or about 2001, and continuing thereafter to  
22 on or about October 13, 2005, in Sacramento County, State and  
23 Eastern District of California, and elsewhere, did knowingly and  
24 intentionally conspire with other persons known and unknown to  
25 the Grand Jury, to distribute and to possess with intent to  
26 distribute at least 500 grams of a mixture and substance  
27 containing a detectable amount of methamphetamine, a Schedule II  
28 controlled substance, in violation of Title 21, United States

Code, Sections 846 and 841(a)(1).

A TRUE BILL.

**/s/ Signature on file w/ AUSA**

FOREPERSON



McGREGOR W. SCOTT  
United States Attorney

# UNITED STATES DISTRICT COURT

*Eastern District of California*

*Criminal Division*

THE UNITED STATES OF AMERICA

vs.

MARGARITO GALLARDO

INDICTMENT

2:07-CR-0431 GEB

**VIOLATION(S):** 21 U.S.C. §§ 846 and 841(a)(1) - Conspiracy to Distribute and to Possess with Intent to Distribute Methamphetamine 21

*A true bill,*

151

*Foreman.*

*Filed in open court this* \_\_\_\_\_ *day*

*of* \_\_\_\_\_ *, A.D. 20* \_\_\_\_\_

*Clerk.*

*Bail, \$*

**NO BAIL WARRANT**

**GREGORY G. HOLLOWS**

GPO 863 525

**PENALTY SLIP**

**MARGARITO GALLARDO**

**VIOLATION:** 21 U.S.C. §§ 846 and 841(a)(1) - Conspiracy to Distribute and to Possess with Intent to Distribute Methamphetamine

**PENALTY:** Not more than \$4,000,000 fine, or  
Not less than 10 years to life imprisonment, or both  
Not less than 5 years of supervised release

**PENALTY**  
**ASSESSMENT:** \$100.00 special assessment

07 - CR - 0431 GEB

BY

☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING INFORMATION ☐ SUPERSEDING

**\*\*SEALED\*\***

**OFFENSE CHARGED**

Conspiracy to Distribute and to Possess with Intent to distribute Methamphetamine

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

Place of Offense: Sacramento

**USC Citations:**

21 U.S.C. §§ 846 and 841(a)(1)

Name of District Court, and/or Judge Magistrate Location (city)

**EASTERN DISTRICT OF CALIFORNIA  
 SACRAMENTO, CALIFORNIA**

**DEFENDANT -- U.S. vs.**

**MARGARITO GALLARDO**

Address { 7761 Madrona Ct.  
 Fontana, CA

Birth Date 1/5/1947 ☒ Male ☐ Female ☐ Allen (if applicable)

(Optional unless a juvenile)

**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

U.S. Drug Enforcement Administration

☐ this person is awaiting trial in another Federal or State Court, give name of court.

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

SHOW  
 DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceeding or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

**MAGISTRATE  
 CASE NO.**

Name and Office of Person  
 Furnishing information on

THIS FORM

Jim Delaney, Special Agent - DEA

U.S. Att'y ☒ Other U.S. Agency

Name of Asst. U.S. Att'y  
 (if assigned)

PHILLIP A. TALBERT

**DEFENDANT**

**IS NOT IN CUSTODY**

- 1) ☒ Has not been arrested, pending outcome this proceeding if not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4) ☐ On this charge
- 5) ☐ On another conviction ☐ Fed'l ☐ State
- 6) ☐ Awaiting trial on other charges  
 If answer to (6) is "Yes", show name of institution

Has detainer been filed?

Yes

If "Yes" give date

No

DATE OF  
 ARREST

Mo. Day Year

Or ... if arresting Agency & Warrant were not Federal

DATE TRANSFERRED  
 TO U.S. CUSTODY

Mo. Day Year

☐ This report amends AO 257 previously submitted

**ADDITIONAL INFORMATION OR COMMENTS**

**\*\*SEALED\*\***

Bench Warrant; Detention/Bail to be Determined at Initial Appearance.

207 - CR - 0431